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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE TESLA, INC. SECURITIES
LITIGATION

Case No. 3:18-cv-04865-EMC

**PLAINTIFF'S SUBMISSION
REGARDING PROPOSED JURY
INSTRUCTIONS ON CORPORATE
ENTITIES**

During the Court’s hearing on January 13, 2023, the Court requested Plaintiff direct the Court to portions of the Complaint and Interrogatory Responses that provide notice of facts supporting corporate scienter apart from the imputation of scienter from Mr. Musk. For the avoidance of ongoing dispute on this matter, Plaintiffs do not object to the language, “If you find against Mr. Musk, but do not find that Mr. Musk was acting within the scope of authority as an officer of Tesla, then you must find that Tesla is not liable.” In the Court’s proposed instruction on Corporate Entities (ECF No. 535, at 34).

Dated: January 13, 2023

Respectfully submitted,

LEVI & KORSINSKY, LLP

s/ Adam M. Apton

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